

BEFORE THE TENNESSEE REGULATORY AUTHORITY

AT NASHVILLE, TENNESSEE

February 16, 2005

IN RE:

**APPLICATION OF IDT AMERICA, CORP.
FOR A CCN TO PROVIDE COMPETITIVE
LOCAL TELECOMMUNICATION SERVICES**

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**DOCKET NO.
03-00529**

ORDER DISMISSING APPLICATION

This matter came before Chairman Pat Miller, Director Deborah Taylor Tate and Director Sara Kyle of the Tennessee Regulatory Authority (the "Authority" or "TRA"), the voting panel assigned to this docket, at a regularly scheduled Authority Conference held on December 13, 2004 for consideration of the *Application for Certificate to Provide Competing Local Telecommunications Services* filed by IDT America, Corp. ("IDT" or the "Company") on September 24, 2003.

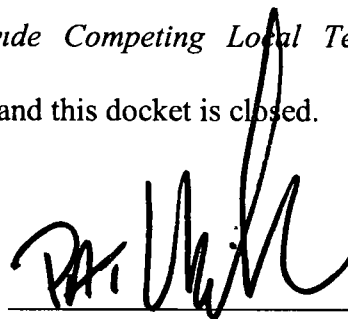
On October 9, 2003, the TRA sent a letter to the Company requesting additional information necessary to complete review of its *Application*. The Company filed its response on November 20, 2004; however, based on the response, additional information was necessary to process the *Application*. Subsequently, the Authority had numerous telephone conversations with IDT requesting the necessary information, and while IDT made representations that the additional information would be provided, the information was not forthcoming. Since IDT had failed to provide the information requested, the TRA sent a second data request on February 10, 2004. On March 5, 2004, the Company responded requesting additional time to prepare information concerning complaints. Thereafter, there were several telephone conversations with

IDT in which the Company indicated it had not had time to complete the response. On June 21, 2004, the Authority sent a final data request stating that the necessary information had not been received and advised the Company that if such information was not provided by June 30, 2004, the *Application* would be incomplete when heard by the Authority. On December 3, 2004, the Authority sent a letter notifying IDT that since it failed to respond to the June 21, 2004 data request, the Authority would consider dismissal of its *Application* at the regularly scheduled Authority Conference on December 13, 2004.

As of the December 13, 2004 Authority Conference, the Company had not responded to the December 3, 2004 correspondence, and no one appeared at the Authority Conference on behalf of IDT. Accordingly, the panel voted unanimously to dismiss the *Application for Certificate to Provide Competing Local Telecommunications Services* filed by IDT America, Corp.

IT IS THEREFORE ORDERED THAT:

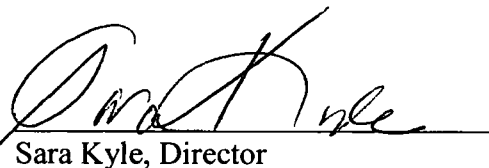
The *Application for Certificate to Provide Competing Local Telecommunications Services* filed by IDT America, Corp. is dismissed, and this docket is closed.



Pat Miller, Chairman



Deborah Taylor Tate, Director



Sara Kyle, Director